IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO.1813 OF 2007

1.Shri.Krishna Nandu Indhan,
2.Shri.Ganesh Laxman Baraf,
3.Shri.Laxman Lakhma Baraf,
4.Shri.Ganpat Pandu Indhan, &
5.Shri.Santosh Atmaram Choudhari. ...Applicants.

Versus

The State of Maharashtra ...Respondent.

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Mr.Sachin Pawar, Adv. for the Applicants.
Mr.K.V.Saste, APP, for the State.

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CORAM : SMT.V.K.TAHILRAMANI,J.
DATED : 11th June, 2007.

P.C.:

. Leave to amend. Amendment to be carried out forthwith.

2. Heard the learned Advocate for the Applicants-orig.accused Nos.3,4,5,7 & 8 and the learned APP for the State.

3. The applicants are seeking bail in C.R.No.I-66 of 2006 of Jawahar Police Station, Thane. The said case is mainly under Section 302 of IPC.

4. The learned Advocate for the applicants has submitted that coaccused Ganpat, Balwant and one other accused have played the main role in the present case and no specific role is attributed to

the present applicants.

5. As far as the present applicants are concerned, Dwarkibai who is the wife of the deceased and who is complainant in the present case has clearly stated the names of the present applicants and the role played by them. Dwarkibai has stated that on the day of the incident the present applicants along with three others entered her house at about 10:00 p.m.. One of the coasccused kept a wooden log on the neck of her husband who was sleeping and on one side of the log coaccused Ganpat stood and on the other side of the log coaccused Suresh Indhan stood on the said log. She has stated that at that time coaccused Balwant took hot brick from the fire and pressed it on the stomach of the deceased. The complainant has clearly stated that when the incident took place the present applicants had caught hold of the hands and legs of the deceased.

6. Looking to the role played by the applicants, I do not think that this is a fit case to grant bail.

7. Application is rejected

(SMT.V.K.TAHILRAMANI,J.)